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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,472	01/23/2002	Stephan Hesmer	RSW920010172US1	6376

7590

09/09/2004

Gerald R. Woods
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EXAMINER

MISTRY, O NEAL RAJAN

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/055,472	HESMER ET AL.	
	Examiner	Art Unit	
	O'Neal R Mistry	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined.
2. Claims 1-21 are presented for examination.

Drawings

3. The Examiner contends that the drawings submitted on January 23, 2002 are acceptable for the examination proceedings.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 10-11, 14-15, & 17-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bates et al (U.S. Patent Number 6,037,935).

5. In regards to claim 1, Bates discloses a method of improving navigation of content in a user interface that has been rendered in a content aggregation framework comprising steps of:

detecting, on a navigable element of an input document encoded in a markup language, an indication that a navigation stop should occur at this element in a determined navigation order (col. 1 lines 65-67) [According to the present invention, a web page exploration indicator displays to a user the degree of exploration for a web page or for one or more

links on a web page]. The examiner interprets that navigable element of a input document is a hyper links that are on HTML pages; programmatically determining, responsive to detecting the indication, the navigation order in which the navigation stop at the element should occur (col. 2 lines 5-8) [For example, the exploration criteria may analyze links at the next level, may analyze links that have been traversed by the user, or may analyze links to a specified depth.]. The examiner interprets that detecting a navigation stop is when the apparatus has search through the entire sets of links, and creates an end point. The way the user has the ability to see how many different links are connected together with each other; and programmatically modifying the navigable element from the input document to specify the programmatically determined navigation order (col. 2 lines 7-11) [According to the preferred embodiments, the web page exploration indicator provides a visual indication of the degree of exploration for each displayed web page and for each link on the displayed web page.]. The examiner interprets that by displaying the number of links that is a form of navigation order.

6. In regards to claim 2, Bates states wherein the detecting, programmatically determining, and programmatically modifying steps operate on indications of more than one navigable element in the input document (Figure 12). The examiner interprets that by modifying the steps of operate on indication, in Figure12 is setup menu which allows the user to change settings in the Web page Exploration Indicator Properities.

7. In regards to claim 3, Bates discloses the step of rendering an output document which results from the programmatically modifying step, wherein the rendered output document is navigable in the programmatically determined navigation order (Figure 4 & 6).

8. In regards to claim 4, Bates states the step of aggregating a plurality of input documents encoded in the markup language, thereby creating an aggregated document, wherein more than one of the input documents specifies navigation stops on navigable elements, and wherein the programmatically determining and programmatically modifying steps are performed for each of the input documents during the aggregating step (Figure 4 & 5). The examiner interprets that in Figure 5 the navigable indicators on display module notify the user of a stop element, and in Figure 4 it displays the steps of a plurality of input documents that connected by links, which are displayed by the indicator for the user to view.

9. In regards to claim 5, Bates discloses the step of rendering the aggregated document, wherein the rendered aggregated document is navigable in the programmatically determined navigation order (Figure 4 & 6).

10. In regards to claim 6, Bates states wherein the markup language is HTML. ("Hypertext Markup Language") (col. 3 lines 14-18) [A web page may contain various types of MIME data. Most web pages include visual data that is intended to be displayed on the monitor of user workstation 210. Web pages are generally written in Hypertext Markup Language (HTML).].

11. In regards to claim 10, Bates states the input document is a portlet specification (col. 38-44) [reference locations known as "links" that invoke other web pages. Links allow a web user to easily navigate to other web pages of interest by clicking on the appropriate link with a mouse]. The examiner interprets that a portlet is another form of a link. In www.wikipedia.org, an online computer dictionary, defines portlet: "The portlet specification enables interoperability, meaning the ability of systems, units, or forces to provide services to and accept services from other systems, between portlets and portals.", this in the broadest form allows the user to access multiple web-pages, between the browser and servers.

12. In regards to claim 11, Bates discloses the programmatically modifying step modifies a document created by programmatically evaluating the portlet specification (col. 38-44 & Figure 12) [reference locations known as "links" that invoke other web pages. Links allow a web user to easily navigate to other web pages of interest by clicking on the appropriate link with a mouse]. The examiner interprets in Figure 12, that the user has sets function for steps for searching portlets in a document, if the user does not want to be notified about the links, the user has the ability to disable the function. This is steps to modify a document created by the apparatus that searches for link navigation.

13. In regards to claim 14, Bates states the indication comprises a reference to executable code and supplies an identification of a region into which the navigable

element is to be rendered (Figure 4 & 6). The examiner interprets that the link is a form of an executable code, which allows the browser to initialize communication with a server to download a web-page, and supplies the numeric information about the link into which is navigable for the user. The user may decided to go farther down into the link, or may go farther up the link.

14. In regards to claim 15, Bates discloses the indication further comprises an offset value within the region (Figure 4 & 5). The examiner interprets that display module indicator has an offset value within the region, which will not display the indicator or will give a number to display the number of link; this is depended on the user options.

15. In regards to claim 17, Bates discloses the indication comprises a reference to executable code and supplies an identification of a region into which the navigable element is to be rendered, and wherein the programmatically modifying step replaces the reference and region identification with a numeric value that specifies the programmatically determined navigation order (Figure 4 & 5). Figure 4 displays the navigation order between the web pages, and Figure 5 illustrates the executable code and an identification of a region that has the ability to be navigable to the user.

16. In regards to claim 18, Bates states the indication comprises a reference to executable code and supplies an identification of a region into which the navigable element is to be rendered as well as an offset within the region and wherein the programmatically modifying step replaces the reference, region identification and offset with a numeric value that specifies the programmatically determined navigation order (Figure 4 & 5). Figure 4 displays the navigation order between the web pages, and

Figure 5 illustrates the executable code, meaning the link, and an identification of a region, in a numeric form, that has the ability to be navigable to the user.

17. In regards to claim 19, Bates discloses a method of dynamically specifying a visitation order for navigable elements in a user interface that has been rendered in a content aggregation framework comprising steps of:

aggregating a plurality of input documents encoded in a markup language, wherein more than one of the input documents specifies navigation stops on navigable elements (col. 3 lines 16-18 & col. 3 lines 33-35) [Web pages are generally written in Hypertext Markup Language (HTML).] [The present invention improves the convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.] The apparatus displays the degree of exploration which means the displays the navigation stops on navigable elements.

detecting on one or more navigable elements of the input documents during the aggregation, an indication that a navigation stop should occur at the respective element in a determined navigation order (col. 1 lines 65-67) [According to the present invention, a web page exploration indicator displays to a user the degree of exploration for a web page or for one or more links on a web page]. The examiner interprets that navigable element of a input document is a hyper links that are on HTML pages; and

programmatically determining, responsive to detecting the indication, the navigation order in which the navigation stop at the respective element should

occur(col. 2 lines 5-8) [For example, the exploration criteria may analyze links at the next level, may analyze links that have been traversed by the user, or may analyze links to a specified depth.]. The examiner interprets that detecting a navigation stop is when the apparatus has search through the entire sets of links, and creates an end point. The way the user has the ability to see how many different links are connected together with each other;

programmatically modifying the navigable element to specify the programmatically determined navigation order (col. 2 lines 7-11) [According to the preferred embodiments, the web page exploration indicator provides a visual indication of the degree of exploration for each displayed web page and for each link on the displayed web page.]. The examiner interprets that by displaying the number of links that is a form of navigation order; and

rendering an output document which results from the programmatically modifying step, wherein the rendered output document is navigable in the programmatically determined navigation order (Figure 4 & 5). The examiner interprets that Figure 5 display the output document in HTML, and Figure 4 shows the entire layout of navigability between the documents and the links.

18. In regards to claim 20, Bates discloses a system for improving navigation of content in a user interface that has been rendered in a content aggregation framework comprising:

means for detecting, on a navigable element of an input document encoded in a markup language, an indication that a navigation stop should occur at this element in a determined navigation order (col. 1 lines 65-67) [According to the present invention, a web page exploration indicator displays to a user the degree of exploration for a web page or for one or more links on a web page]. The examiner interprets that navigable element of a input document is a hyper links that are on HTML pages;

means for programmatically determining, responsive to detecting the indication the navigation order in which the navigation stop at the element should occur (col. 2 lines 5-8) [For example, the exploration criteria may analyze links at the next level, may analyze links that have been traversed by the user, or may analyze links to a specified depth.]. The examiner interprets that detecting a navigation stop is when the apparatus has search through the entire sets of links, and creates an end point. The way the user has the ability to see how many different links are connected together with each other; and

means for programmatically modifying the navigable element from the input document to specify the programmatically determined navigation order (col. 2 lines 7-11) [According to the preferred embodiments, the web page exploration indicator provides a visual indication of the degree of exploration for each displayed web page and for each link on the displayed web page.]. The examiner interprets that by displaying the number of links that is a form of navigation order.

19. In regards to claim 21, Bates states a computer program product for improving navigation of content in a user interface that has been rendered in a content aggregation framework, the computer program product embodied on one or more computer-usable media and comprising:

computer-readable program code means for detecting, on a navigable element of an input document encoded in a markup language, an indication that a navigation stop should occur at this element in a determined navigation order (col. 1 lines 65-67)

[According to the present invention, a web page exploration indicator displays to a user the degree of exploration for a web page or for one or more links on a web page]. The examiner interprets that navigable element of a input document is a hyper links that are on HTML pages;

computer-readable program code means for programmatically determining, responsive to detecting the indication, the navigation order in which the navigation stop at the element should occur(col. 2 lines 5-8) [For example, the exploration criteria may analyze links at the next level, may analyze links that have been traversed by the user, or may analyze links to a specified depth.]. The examiner interprets that detecting a navigation stop is when the apparatus has search through the entire sets of links, and creates an end point. The way the user has the ability to see how many different links are connected together with each other; and

computer-readable program code means for programmatically modifying the navigable element from the input document to specify the programmatically determined

navigation order (col. 2 lines 7-11) [According to the preferred embodiments, the web page exploration indicator provides a visual indication of the degree of exploration for each displayed web page and for each link on the displayed web page.]. The examiner interprets that by displaying the number of links that is a form of navigation order.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

20. Claims 7-9, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (U.S. Patent Number 6,037,935) in view of Perla (U.S. Patent Application Number 2002/0032706)

In regards to claim 7-9 & 12-13, Bates shows an apparatus that has the ability to improve convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link, in HTML, but does not show that the web pages could contain programming languages from XML ("Extensible Markup Language"), which well known in the art, and Java Server Page (JSP), which is also well known in the art. The apparatus main focuses on the navigation ability for the user, but does disclose the user of other programming languages.

Perla shows show the ability of developing web-based application using multiple languages, and also discloses the ability to build application with all the attributes, pathes, and related paths for the programmer.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use Perla web-base application builder with Bates apparatus for search navigation ability in a web page.

The modifications would have been obvious because one of ordinary skill in the art would have been motivated to search for a apparatus that has the ability to build web-based application, with a web-based search navigation tool, to provide easy and mobility around the web-based application. Also, it would allow programmer to use a uniform programming environment made easier for searching navigability.

21. In regards to claim 7, Perla discloses wherein the markup language is XML ("Extensible Markup Language") (paragraph 6 lines 1-3) [A subset and simplification of SGML, the extensible Markup Language (XML) has evolved as a standard meta-data format in order to simplify the exchange of data.]

22. In regards to claim 8, states wherein the input document is a JavaServer Page specification (col. 2 lines 9-15) [HTML template with script embedded to generate the resulting page. Examples of this technology are Active Server Pages (ASP) from Microsoft, PHP from the Apache organization or Java Server Pages (JSP) from Sun. Often these have been developed in a three-tier physical and/or logical implementation in an attempt to separate the display from the data logic.].

23. In regards to claim 9, discloses the programmatically modifying step modifies a document created by programmatically evaluating the JavaServer Page specification (col. 2 lines 9-15) [HTML template with script embedded to generate the resulting page. Examples of this technology are Active Server Pages (ASP) from Microsoft, PHP from the Apache organization or Java Server Pages (JSP) from Sun. Often these have been developed in a three-tier physical and/or logical implementation in an attempt to separate the display from the data logic.].

24. In regards to claim 12, states the programmatically modifying step further comprises evaluating the input document according to a style sheet (paragraph 8 lines 5-8) [On the other hand XSL Transformations known as XSLT makes it possible for one XML document to be transformed into another according to an XSL Style sheet.].

25. In regards to claim 13, discloses the style sheet is encoded in XSL ("Extensible Stylesheet Language"). (paragraph 6 lines 3-7) [The eXtensible Stylesheet Language (XSL) has evolved as the standard way to define stylesheets that accept XML as input; and Non-HTML browsers accessing data over HTTP are becoming common and in the next few years will become more common than browsers on desktop computers.]

26. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (U.S. Patent Number 6,037,935) in view of Sharif (U.S. Patent Application Number 2003/0115167).

In regards to claim 16, Bates shows an apparatus that has the ability to improve convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link, in HTML, but does not disclose the indication is specified as a value of a TABINDEX attribute..

Sharif shows the indication is specified as a value of a TABINDEX attribute (paragraph 110 & www.msdn.com) [TABINDEX sequence numbers attached to page elements are in two ways. First, when the user completes an operation with an input control and input focus returns to

the current display region, if the input control has a tabindex value, then the current selection automatically moves immediately to the page element with the next sequential tabindex value.]. It is notoriously well known in the art, of the attribute of TABINDEX, which allows a program to set a value for each tab. Setting the value allows the user to tab over to the next text field without using a pointing device. In the www.msdn.com illustrates instructions on how to use the program TABINDEX in a HTML browser, or web-page.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use the TABINDEX, in Sharif's patent application, on the webpage with Bates apparatus for searching for navigability in webpage. The modifications would have been obvious because one of ordinary skill in the art would have been motivated to search for an invention that had the capability of TABINDEX, because both apparatus aid the user in viewing information as well as interfacing the user with the webpage.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (703) 305-2738. The examiner can normally be reached on 9am - 6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703)308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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